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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ O.M.P.(MISC.)(COMM.) 661/2025

HIMALAYA CONSTRUCTION CO PVT LTDPetitioner

Through: Mr. Ashok Mathur, Advocate.

versus

FOZAL POWER PVT LTDRespondent

Through: None.

CORAM:
HON'BLE MS. JUSTICE JYOTI SINGH

ORDER
21.08.2025

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I.A. 20392/2025 (Exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. This petition is filed on behalf of the Petitioner under Section 29A (4) and (5) of the Arbitration and Conciliation Act, 1996 ('1996 Act') seeking extension of the mandate of the learned Sole Arbitrator.
4. At the outset, learned counsel for the Petitioner submits that a typographical error has occurred at pages 25 and 26 of this petition in the dates mentioned therein and the date of 31.12.2024 be read as 31.12.2025 while date of 26.08.2024 be read as 26.08.2025.
5. On oral request of learned counsel for the Petitioner, dates of 31.12.2024 and 26.08.2024 mentioned at pages 25 and 26 of this petition respectively, be read as 31.12.2025 and 26.08.2025.



6. Disputes having arisen between the parties in relation to three different civil works relating to construction by the Respondent, Petitioner filed a petition under Section 11(6) of 1996 Act being ARB.P. 527/2022, seeking appointment of an Arbitrator which was allowed on 06.12.2022 appointing a Sole Arbitrator. Arbitral proceedings are stated to be at the stage of final arguments and the mandate of the sole Arbitrator is expiring on 26.08.2025. It is submitted by counsel for the Petitioner that notice is not required to be issued to the Respondent, since Respondent has been proceeded *ex parte* by the learned Arbitrator vide order dated 27.08.2024 and has taken no steps against the said order.

7. Accordingly, mandate of the Arbitrator is extended till 31.12.2025 from 27.08.2025.

8. Petition is allowed and disposed of in the aforesaid terms.

JYOTI SINGH, J

AUGUST 21, 2025

S.Sharma/Shivam